

MISC. CIVIL APPLICATION [TR] NO.882 OF 2025

..Versus..

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CORAM : PRAVIN S. PATIL, J.
DATED : 20.02.2026.

JUDGMENT

1. This matter was extensively heard on 13.12.2026 argued by Advocate Chikte on behalf of Applicant and Advocate Ms. Riya Dhoble on behalf of the Respondent. On that day, the

counsel for the applicant seeks time to take further instructions in the matter. Accordingly, the matter is listed today.

2. By this application, the applicant is seeking the transfer of the proceeding from the court of Civil Judge, Senior Division, Vadgaon Maval, District-Pune to the court of Civil Judge, Senior Division, Darwha, District-Yavatmal.

3. The applicant states that the distance between two stations is near about 500 km and, therefore, she is unable to attend the proceeding at Vadgaon Maval. The applicant also stated that she has filed the proceeding under the provisions of Protection of Women from Domestic Violence Act and same is pending at Nagpur and hence on this count, she seeks transfer of the proceeding in the matter.

4. The learned counsel for the respondent vehemently opposed the application. It is the contention of the respondent that if this is the reason raised by the applicant, same should have been raised in first in time. However, in the present case before the court at Civil Judge, Senior Division, Vadgaon Maval, the applicant initially appeared and filed her written statement

also. Not only this, the evidence is recorded and now the case is fixed for cross-examination of applicant. Hence, considering the stage of the matter pending before the court at Vadgaon, it will not be proper to transfer the proceeding because after transfer of the proceeding *denovo* proceeding will be started at Nagpur, it will amount to delay to decide the proceeding.

5. The learned counsel for the respondent fairly stated that if applicant appeared on one or two dates for her cross-examination and later on through video conference, the purpose will be served and for that purpose the respondent is ready to pay the travelling charges of Rs.3,000/- to the applicant.

6. After considering the submission of both the parties, I am of the opinion that the respondent is fair in stating that he is ready to pay the travelling charges and also rightly stated that the proceeding pending before the court at Vadgaon Maval is in the fag end and, therefore, such proceeding should not be transferred on the given reasons by the applicant.

7. In view of this, I am of the opinion that the following order will subserve the justice. Hence, I proceed to pass the

following order :

O R D E R

(1) The applicant to attend the proceeding before the Civil Judge, Senior Division, Vadgaon Maval, District-Pune for her cross-examination on the date fixed by the Trial Court.

(2) The Civil Judge, Senior Division, Vadgaon Maval is requested to take on priority the cross-examination of the applicant on the given date.

(3) The applicant is permitted to appear through video conference on the subsequent date if her physical presence is not required in the matter.

(4) The dates on which the applicant will appear before the Civil Judge, Senior Division, Vadgaon Maval, District-Pune, the respondent shall pay Rs.3,000/- towards the travelling and stay charges to the applicant on or before the date fixed before the court.

(5) With this direction, the application is disposed of.

(Pravin S. Patil, J.)